

**Notice of Allowability**

Application No.

09/579,670

Examiner

Michael C. Maskulinski

Applicant(s)

DE FOREST ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Appeal Brief filed 9/19/05.
2. ☒ The allowed claim(s) is/are 1-16.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
BRYCE T. BONZO  
PRIMARY EXAMINER

### **Reasons for Allowance**

1. Claims 1-16 are allowed.
2. The following is an examiner's statement of reasons for allowance.

Referring to claims 1, 3, 5, 7, 9, 11, 13, and 15, in the Applicant's Appeal Brief on page 15, lines 27-31 continued on page 16, lines 1-2, the Applicant argues, "The Rastogi et al. '449 system therefore cannot and does not capture or record sub-operations within a transaction and thus cannot restore a transaction any sub-operation within the execution of the transaction, but instead captures only the beginning or end of a transaction. It is for these reasons that the Rastogi et al. '449 system contains both a 'redo' log, so that a transaction can be reexecuted from the start, and an 'undo' log, so that a transaction can be 'undone', or canceled, by 'undoing' the transaction from the end." The Examiner agrees with these arguments and has withdrawn the rejection of claims 1-16.

Referring to claim 1, the prior art does not teach or reasonably suggest a state machine log generator for extracting state machine information defining at least one state machine during an execution of an operation, the at least one state machine representing a current state of execution of a file transaction and a state machine log for storing the state machine information, wherein the state machine log generator is responsive to the restoration of operation of the file server after a failure of file server operations for reading the state machine information from the state machine log and restoring the state of execution of a file transaction.

Referring to claim 3, the prior art does not teach or reasonably suggest a state machine log generator for extracting state machine information defining at least one state machine during an execution of an operation, the at least one state machine representing a current state of execution of a file transaction of the corresponding control/processing sub-system and a state machine log for storing the state machine information of the corresponding control/processing sub-system, wherein the state machine log generator is responsive to the restoration of operation of the file server after a failure of the corresponding control/processing sub-system for reading the state machine information from the corresponding state machine log and restoring the state of execution of a file transaction of the corresponding control/processing sub-system.

Referring to claim 5, the prior art does not teach or reasonably suggest a state machine log generator for extracting state machine information defining at least one state machine during an execution of an operation, the at least one state machine representing a current state of a system resource operation and a state machine log for storing the state machine information, wherein the state machine log generator is responsive to the restoration of operation of the system resource after a failure of system resource operations for reading the state machine information from the state machine log and restoring the state of execution of a system resource operation.

Referring to claim 7, the prior art does not teach or reasonably suggest a state machine log generator for extracting state machine information defining at least one state machine during an execution of an operation, the at least one state machine representing a current state of execution of a system resource operation of the

corresponding control/processing sub-system and a state machine log for storing the state machine information of the corresponding control/processing sub-system, wherein the state machine log generator is responsive to the restoration of operation of the system resource after a failure of the corresponding control/processing sub-system for reading the state machine information from the corresponding state machine log and restoring the state of execution of a system resource operation of the corresponding control/processing sub-system.

Referring to claim 9, the prior art does not teach or reasonably suggest a state machine log generator operating concurrently and cooperatively with the control/processing sub-system for extracting state machine information defining at least one state machine during an execution of an operation, the at least one state machine representing a current state of execution of a system resource operation and a state machine log for storing the state machine information, wherein the state machine log generator is responsive to the restoration of operation of the system resource after a failure of system resource operations for reading the state machine information from the state machine log and restoring the state of execution of a system resource operation.

Referring to claim 11, the prior art does not teach or reasonably suggest a state machine log generator for extracting state machine information defining at least one state machine during an execution of an operation, the at least one state machine representing a state of execution of a system resource operation of the corresponding control/processing sub-system wherein a state machine is comprised of state information including control and adapt values representing a state of operation of the

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control/processing sub-system at a given time and a state machine log operating concurrently and cooperatively with the corresponding control/processing sub-system for storing the state machine information of the corresponding control/processing sub-system, wherein the state machine log generator is responsive to the restoration of operation of the system resource after a failure of the corresponding control/processing sub-system for reading the state machine information from the state machine log and restoring the state of execution of a system resource operation of the corresponding control/processing sub-system.

Referring to claim 13, the prior art does not teach or reasonably suggest during each system resource operation, extracting state machine information defining a sequence of state machines during an execution of an operation, each state machine representing a current state of execution of a system resource operation and storing the state machine information, and upon restoration of operation of the system resource after a failure of system resource operations, reading the state machine information from the state machine log and restoring the state of execution of a system resource operation.

Referring to claim 15, the prior art does not teach or reasonably suggest during each system resource operation, extracting state machine information defining at least one state machine during an execution of an operation, the at least one state machine representing a current state of execution of a system resource operation of the corresponding control/processing sub-system and storing the state machine information of the corresponding control/processing sub-system, and upon restoration of operation

of the system resource after a failure of the corresponding control/processing sub-system, reading the state machine information and restoring the state of execution of a system resource operation of the corresponding control/processing sub-system.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Maskulinski whose telephone number is (571) 272-3649. The examiner can normally be reached on Monday-Friday 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert W. Beausoliel can be reached on (571) 272-3645. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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